



## **CRIMINAL JUSTICE COORDINATING COUNCIL**

104 Marietta Street, NW • Suite 440 • Atlanta, GA • 30303-2743  
404/657-1956 • 877/231-6590 • 404/657-1957 (Fax) • 404/463-7650 (TTY)

The Criminal Justice Coordinating Council (Council) is pleased to announce that it is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the agency's mission by assisting state and local efforts to prevent or reduce crime and violence.

# **2013 Law Enforcement Intoxilyzer Instrument Transition Program Solicitation**

### **Eligibility**

Applicants are limited to local law enforcement agencies within Georgia. The maximum award amount per local law enforcement agency is \$9,000 for the purchase of an Intoxilyzer 9000.

### **Award Period**

May 1, 2013 – August 31, 2013

### **Award Amount**

Up to \$9,000

### **Deadline**

All applications are due at 5:00 p.m. on April 5, 2013

### **Contact Information**

For assistance with the requirements of this solicitation, contact:

Aisha Ford, Program Director, at 404-657-2045 or [Aisha.Ford@cjcc.ga.gov](mailto:Aisha.Ford@cjcc.ga.gov)  
Jennifer Wade, Planner, at 404-657-1972, or [Jennifer.Wade@cjcc.ga.gov](mailto:Jennifer.Wade@cjcc.ga.gov)

**Release Date: March 1, 2013**

# 2013 Law Enforcement Intoxilyzer Instrument Transition Program Solicitation

**Deadline: Applications due at 5:00 p.m. on April 5, 2013.**

## **Overview**

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. JAG funds support all components of the criminal justice system, from multijurisdictional drug and gang task forces to crime prevention and domestic violence programs, courts, corrections, treatment, and justice information sharing initiatives. JAG-funded projects may address crime through the provision of services directly to individuals and/or communities and by improving the effectiveness and efficiency of criminal justice systems, processes and procedures.

The purpose of this grant is to assist local law enforcement agencies in replacing their current breath testing devices with the approved Intoxilyzer 9000.

### *The Intoxilyzer 9000*

The fastest way to obtain a blood alcohol reading is through the use of a breath testing device. The Intoxilyzer 5000 is the most common of these used in Georgia. This instrument enables police to acquire a potentially admissible piece of evidence right at the scene.

The Intoxilyzer 5000 was originally approved as the sole instrument for measuring subjects' breath alcohol concentration throughout Georgia in 1995. However, due to the age of the Georgia Model Intoxilyzer 5000, it has become increasingly difficult to obtain replacement instrument components. In addition, CMI, the instrument manufacturer, reported that changes to the 5000's software had reached the limit of the instrument's internal memory capacity rendering any further improvements to the software impossible. These concerns, coupled with the fact that the Intoxilyzer 5000 is unable to handle the increase in demand for technologically advanced instruments, warranted a proactive search for an instrument capable of meeting the future needs of Georgia's breath testing program. After a comprehensive evaluation process of breath alcohol testing instruments, the Intoxilyzer 9000 was selected as the successor to the Intoxilyzer 5000. Based on laboratory analysis and review, the accuracy and precision of the Intoxilyzer 9000 proved superior to other instruments, outperforming them in the area of instrument specificity.

## **Eligibility**

Applicants are limited to law enforcement agencies within eligible or conditionally eligible counties as designated by OneGeorgia Authority. In addition, if your agency has been selected by the Governor's Office of Highway Safety to receive an intoxilyzer in 2013 or 2014, you are not eligible to receive an award pursuant to this solicitation. To determine if your agency is eligible of this grant, refer to **Appendices A and B**.

## Application Selection

The award recipients will be selected from all eligible applications received by the deadline date. Applications from local law enforcement agencies will be competitively reviewed by the Council. Priority will be given to applicants who:

- Rank within the eligible or conditionally eligible category on the master economic scale published in the 2011 Georgia County Guide;
- Have not been selected by the Governor's Office of Highway Safety to receive an intoxilyzer in 2013 or 2014; and
- Demonstrate a need to replace outdated intoxilyzers.

## Purpose Areas

The purpose of the Local Law Enforcement Intoxilyzer Instrument Transition Program is to provide units of local government funds to transition from the Intoxilyzer 5000, the previously approved instrument for breath alcohol testing, to the Intoxilyzer 9000.

## Budget Detail

Funds must only be used to support the purchase of a new Intoxilyzer 9000 and related options and consumables (e.g., mouthpieces, carry case, etc). A statewide contract has been secured with CMI, Inc (**see Appendix C**) for the purchase of intoxilyzers. As such, all awarded applicants must utilize this statewide contract. Installation and maintenance are not included as part of the equipment purchase.

Please note that the budget cannot exceed \$9,000.

## Supplanting

Federal funds must be used to supplement existing funds for program activities and cannot replace or supplant nonfederal funds that have been appropriated for the same purpose. Supplanting is prohibited under JAG. For additional guidance regarding supplanting, refer to the information provided at [www.ojp.usdoj.gov/funding/other\\_requirement.htm](http://www.ojp.usdoj.gov/funding/other_requirement.htm).

## State and Federal Requirements

The requirements listed in this application kit are necessary to your application. Federal and state laws require grantees and sub-grantees to follow additional rules that relate to grant funding generally, and the financial officer for a subgrant should be familiar with these requirements.

County and city governments must also be in compliance with yearly audit filing requirements set forth by the State's Department of Audits and Accounts, specifically, **O.C.G.A. § 36-81-7 and O.C.G.A. § 36-81-8.**

## **Prohibited Uses**

No JAG funds may be expended outside of JAG purpose areas. Even within these purpose areas, however, JAG funds cannot be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Nor may JAG funds be used directly or indirectly to provide for any of the following matters unless BJA certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:

- Vehicles (excluding police cruisers), vessels (excluding police boats), or aircraft (excluding police helicopters),
- Luxury items,
- Real estate,
- Construction projects (other than penal or correctional institutions),
- Any similar matters.

## **Application Review Process**

A review panel will evaluate all eligible applications. In evaluating each application, the review panel will be asked to consider the following factors:

- ✓ Demonstration of need including geographic location, local demographics, local statistics, other programs and/or resources available to the applicant agency;
- ✓ Adequate correlation between the cost of the project and the objective(s) to be achieved;
- ✓ Probability of project to meet identified goals and objectives;
- ✓ Demonstration that Intoxilyzer Program funds will not be used to supplant other nonfederal funds;
- ✓ Demonstration that the applicant agency has met and will continue to comply with all applicable state and federal laws and guidelines;
- ✓ Available funding for the Intoxilyzer Program.

## WHAT AN APPLICATION MUST INCLUDE

Applicants must provide a brief summary, including all of the requested information below, to demonstrate a need for a new Intoxilyzer. Applications submitted without all required information may be deemed ineligible and may not be considered for review.

### Project Summary – To be completed online

Provide a brief description of your agency and describe your need for a new Intoxilyzer. Once you access the application link, you should be prepared to answer the following questions:

1. Is the applicant agency located in an eligible or conditionally eligible county? Check Appendix A prior to providing a response for this question.
2. Briefly describe the service area for the applicant agency.
3. What is the population of the service area?
4. What services are offered by the applicant law enforcement agency (e.g., 24/7 patrol, animal control, task force services, GREAT, DARE, etc.)?
5. How many sworn officers (full-time, part-time, and reserve) are employed by the applicant law enforcement agency?
6. How many DUI arrests were attributed to the applicant agency in 2011?
7. How many DUI arrests were attributed to the applicant agency in 2012?
8. How many roadblocks did the applicant agency conduct in 2011?
9. How many roadblocks did the applicant agency conduct in 2012?
10. How many intoxilyzers are currently in use?
11. Has the applicant agency purchased any new intoxilyzers in the past year (2012-2013)?
12. *Is the applicant agency on the Governor's Office of Highway Safety list to receive an intoxilyzer in 2013 or 2014?* Check Appendix B prior to providing a response for this question

Any additional information you believe would be beneficial in providing support for your request should be attached to the online application in a brief narrative not to exceed one page.

### Required Forms

The following forms are required and can be accessed on the CJCC's website at <http://cjcc.georgia.gov>.

- **Disclosure of Lobbying Activities\***
- **Designation of Grant Officials**
- **Audit Requirements**
- **Standard Assurances\***
- **Civil Rights Contact**
- **Certifications\***
- **Budget Detail and Budget Narrative**

State and federal documents identified by the asterisk (\*) must be signed by the authorized official for your applicant agency. ***For all local units of government, your authorized official will be a Mayor or County Commission Chair.*** Any documents submitted that are not signed by your authorized official will deem your application ineligible for review and/or funding.

## **How to Apply**

Submit the completed application, including the requested information and all required attachments, using the link on the Council's website at <http://cjcc.georgia.gov>. To be eligible for funding consideration, a complete application must be received by our office on or before the due date of April 5, 2013 at 5:00 P.M. No mail or e-mailed applications will be accepted.

## **Reviewing the Application**

Only complete applications received by the deadline will be reviewed. Only the forms submitted and Council records, if applicable, will be considered when reviewing the application. When an application is received at the Council office, there is no commitment on the part of the Council to fund an application or to fund it at the amount requested. All areas of the budget are subject to review and approval. Decisions related to these budget areas are based on both eligibility and reasonableness. Determinations of the reasonableness of budget items are fully within the discretion of the Council and are made both through objective tools and subjective decision-making

Applications for funding go through many reviews. At any point during those reviews, a decision to not fund a project or any part of it may be made. These decisions are within the complete discretion of the Council. However, applicants have the opportunity to appeal the initial funding decision. Once an award is made, it is within the discretion of the Council to determine that the subgrantee is not complying with applicable policies and upon such a determination may de-obligate the grant and require the reimbursement of grant funds to the Council.

## **Funding Decisions**

All funding decisions related to the Intoxilyzer program are made by the Council's Criminal Justice System Advisory Committee based on the recommendations of an ad-hoc review panel, composed of Council staff and any outside experts deemed necessary to the process. The Council informs the applicant of its decision through a grant award or denial letter. Applicants must not make any assumptions regarding funding decisions until they have received official written notification of award or denial that is signed by either the Governor or the Council Director.

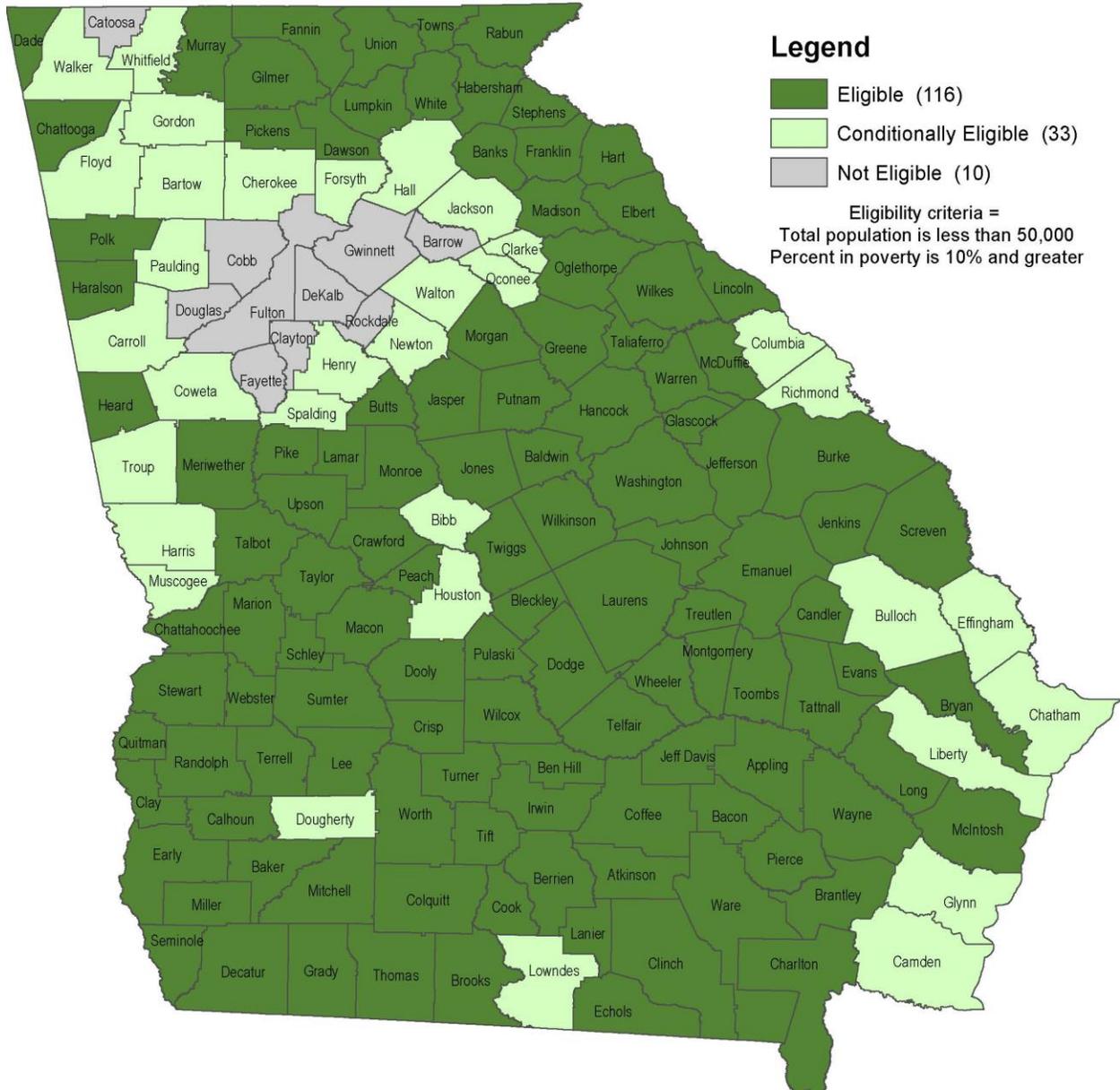
## **Grant Acceptance**

Each grantee must accept or reject the grant award within 45 days of the award date. The grantee will be unable to request funds until the award document is returned to the Council office.

## **Special Conditions**

After the award of the grant, grantees should refer to the grant award for special conditions applicable to the approved project. The Council will assign the special conditions at the time of the grant award.

# APPENDIX A



Data source: Population -U.S. Census Bureau, Redistricting Information 2010 Census Poverty Rate -US Census Bureau, American Community Survey, 2005 -2009, released Dec 2010 Per Capita Income -PCI: 2010 Selected Pop-Facts Data For All County Totals in Georgia. Claritas Eligibility Map pursuant to the June 14th 2011 Board Meeting

Map prepared by Georgia Department of Community Affairs, 2011

As indicated by the map on the previous page, agencies located in the following counties are not eligible to apply:

Barrow	Clayton	Dekalb	Fayette	Gwinnett
Catoosa	Cobb	Douglas	Fulton	Rockdale

## Appendix B

In addition to agencies located in the above counties, agencies the following agencies are not eligible to apply because they have been selected by the Governor's Office of Highway Safety to receive an intoxilyzer in 2013 or 2014:

- Aragon Police Department
- Ashburn Police Department
- Athens-Clarke Co. Police Department
- Atlanta Police Department
- Baker Co. Sheriff's Office
- Banks Co. Sheriff's Office
- Barnesville Police Department
- Bartow County Sheriff's Office
- Blairsville Police Department\*
- Byron Police Department
- Calhoun Police Department
- Camden Co. Sheriff's Office
- Catoosa Co. Sheriff's Office
- Centerville Police Department\*
- Charlton Co. Sheriff's Office
- Clarkston Police Department
- Clayton Co. Police Department
- Coffee Co. Sheriff's Office
- Cordele Police Department
- Doraville Police Department
- Dublin Police Department
- Effingham Co. Sheriff's Office
- Elberton Police Department
- Fairburn Police Department
- Fayetteville Police Department
- Fitzgerald Police Department
- Fort Oglethorpe Police Department\*
- Fort Valley Police Department
- Franklin Co. Sheriff's Office
- Gainesville Police Department
- Glennville Police Department
- Hall Co. Sheriff's Office
- Harlem Police Department
- Hartwell Police Department
- Heard Co. Sheriff's Office
- Jefferson Police Department
- LaFayette Police Department
- Laurens Co. Sheriff's Office
- Lavonia Police Department
- Lincoln Co. Sheriff's Office
- Long Co. Sheriff's Office
- Lumpkin Co. Sheriff's Office
- Lyons Police Department
- Madison Co. Sheriff's Office
- Marietta Police Department
- Maysville Police Department
- Midville Police Department
- Mt. Zion Police Department
- Oconee Co. Sheriff's Office
- Pickens Co. Sheriff's Office
- Pooler Police Department
- Ray City Police Department
- Richland Police Department
- Ringgold Police Department
- Rochelle Police Department
- Roswell Police Department
- Sandersville Police Department
- Sardis Police Department
- Savannah/Chatham Metro Police Department
- Seminole Co. Sheriff's Office
- Stephens Co. Sheriff's Office
- Stone Mountain Police Department
- Taliaferro Co. Sheriff's Office
- Temple Police Department
- Thomasville Police Department
- Tift Co. Sheriff's Office
- Toccoa Police Department
- Treutlen Co. Sheriff's Office
- Twiggs Co. Sheriff's Office
- Walker Co. Sheriff's Office
- Warner Robins Police Department
- Watkinsville Police Department
- Whigham Police Department
- White Co. Sheriff's Office
- Willacoochee Police Department

# Appendix C

**State of Georgia  
State Entity Standard Contract Form**

Solicitation Title Intoxilyzer 9000	Solicitation Number 47100-419-0000002768	Contract Number 47100-419-0000002768
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1. This Contract is entered into between the State Entity and the Contractor named below:

State Entity's Name  
Georgia Bureau of Investigation (hereafter called State Entity)

Contractor's Name  
CMI, Inc. (hereafter called Contractor)

2. Contract to Begin: 10-2-2012	Date of Completion: 10-1-2013	Renewals: 4
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3. Performance Bond, if any: \_\_\_\_\_ Other Bonds, if any: \_\_\_\_\_

4. Maximum Amount of this Contract: \$4,161,000.00	Total Financial Obligation of the State Entity for the First Fiscal Year:	Total Financial Obligation of the State Entity for each Renewal Period if Renewed:
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5. Authorized Person to Receive Contract Notices for State Entity:	Authorized Person to Receive Contract Notices for Contractor: Pamela J. Hagan
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6. The parties agree to comply with the terms and conditions of the following attachments which are by this reference made a part of the Contract:

- |   |
|---|
| Attachment 1: State Entity Contract for Goods and Ancillary Services – OPEN |
| Attachment 2: Solicitation (referenced above)                               |
| Attachment 3: Contractor's Final Response                                   |

IN WITNESS WHEREOF, this Contract has been executed by the parties hereto.

7. **Contractor**

Contractor's Name (If other than an individual, state whether a corporation, partnership, etc.)  
CMI, Inc.

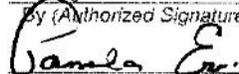
By (Authorized Signature) 	Date Signed 9/26/12
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Printed Name and Title of Person Signing  
W. T. Settles, Manager Marketing and Sales

Address  
316 East Ninth Street, Owensboro, KY 42303

8. **State Entity**

State Entity Name  
Georgia Bureau of Investigation

By (Authorized Signature) 	Date Signed 10-3-12
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Printed Name and Title of Person Signing  
Pamela Ervin, APO

Address  
3121 Panthersville Road Decatur, GA 30034



316 East Ninth Street  
 Owensboro, KY 42303  
 866-835-0690  
[www.alcoholtest.com](http://www.alcoholtest.com)

## INTOXILYZER® 9000 (9400 Series) Pricing Proposal

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<b>Intoxilyzer 9000</b>	<b>\$6,875.00 ea.</b>
<ul style="list-style-type: none"> <li>• On-Screen Keyboard</li> <li>• 2-D Bar Code Reader Ready</li> <li>• Dry Gas Ready</li> <li>• Instrument Pedestal</li> <li>• 4 USB 2.0 Host Ports</li> <li>• 1 USB 2.0 Device Port</li> <li>• 1 Serial RS232 Port</li> <li>• 1 10/100 Ethernet RJ45 Port</li> <li>• 1 RJ11 (33.6) Port</li> <li>• USB Keyboard</li> <li>• Mouthpieces, 1 box (100/box)</li> <li>• One Year Warranty</li> <li>• Ground Transportation</li> </ul>	
<b>Gas Delivery System</b> (includes 67L, .080 cylinder)	<b>\$ 480.00 ea.</b>
<b>External USB Printer</b> (includes cable)	<b>\$ 344.00 ea.</b>
<b>ISO 17025 Calibration</b> (initial)	<b><u>\$ 299.00 ea.</u></b>
<b>Total Package Price</b>	<b><u>\$7,998.00 ea.</u></b>
 <b><u>Available Options:</u></b>	
2-D Bar Code Reader (USB)	\$ 400.00 ea.
Carry Case (custom foam set)	\$ 375.00 ea.
Extended Warranty (year 2) (Excludes ISO 17025 Calibration)	\$ 125.00 ea.
 <b><u>Consumables</u></b>	
Mouthpieces (100/box)	\$ 25.00 ea.
Gas Cylinder, 67L, .080	\$ 110.00 ea.

*Note: Yearly increases will be based on actual increases to CMI's cost for manufacturing the product not to exceed a 2% annual increase.*